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**OCT 20 2006**

**OFFICE OF PETITIONS**

In re Application of  
Yuri Yaport et al.  
Application No. 09/865,904  
Filed: May 24, 2001  
Title of Invention: METHOD AND SYSTEM  
FOR PARALLEL DATA TRANSMISSION ON  
DEMAND TO AN UNLIMITED NUMBER OF  
CLIENTS WITHOUT ACKNOWLEDGMENT  
AND ON THE BASIS OF CONSTANT DATA  
AVAILABILITY

DECISION ON PETITION

This is a decision on the renewed petition under 37 CFR 1.137(b),<sup>1</sup> filed March 30, 2006, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned on October 31, 2005, for failure to pay the issue fee in response to the Notice of Allowance mailed July 28, 2005 and which set a three (3) month period for reply. Accordingly, a Notice of Abandonment was mailed December 8, 2005. A petition filed December 21, 2005 under 37 CFR 1.137(a)<sup>2</sup> was

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<sup>1</sup>Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In a nonprovisional application filed on or after June 8, 1995, and abandoned for failure to prosecute, the required reply may also be met by the filing of a request for continued examination in compliance with § 1.114. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof. In an application abandoned for failure to pay the publication fee, the required reply must include payment of the publication fee.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c)).

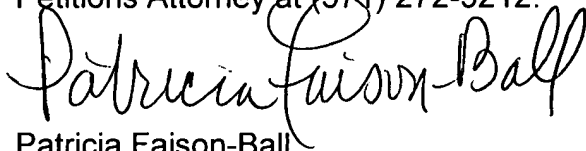
<sup>2</sup>A grantable petition to revive an abandoned application under 37 CFR 1.137(a) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In a nonprovisional application filed on or after June 8, 1995, and abandoned for failure to prosecute, the required reply may

dismissed in a decision mailed January 12, 2006 because the showing of record was inadequate to establish unavoidable delay within the meaning of 37 CFR 1.137(a). A petition to revive under the unintentional standard was filed February 21, 2006 and was dismissed in a decision mailed March 2, 2006 because the petition fees were deficient.

Comes now petitioner with the instant renewed petition and the proper petition fees. All other requirements having been met, this matter is being referred to the Publishing Division to be processed into a patent.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.



Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions

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also be met by the filing of a request for continued examination in compliance with § 1.114. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof;

- (2) the petition fee as set forth in § 1.17(l);
- (3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unavoidable; and
- (4) any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (c) of this section.